

Record of Proceedings
of the
INTERNATIONAL MILITARY TRIBUNAL
FOR THE FAR EAST

Court House of the Tribunal
War Ministry Building
Tokyo, Japan

The United States of America, the Republic of China,
the United Kingdom of Great Britain and Northern Ireland,
the Union of Soviet Socialist Republics, the Commonwealth of
Australia, Canada, the Republic of France, the Kingdom of
the Netherlands, New Zealand, India, and the Commonwealth
of the Philippines

-Against-

ARAKI, Sadao; DOHIHARA, Kenji; HASHIMOTO,
Kingoro; HATA, Shunroku; HIRANUMA, Kiichiro; HIRO-
TA, Koki; HOSHINO, Naoki; ITAGAKI, Seishiro; KAYA,
Okinori; KIDO, Koichi; KIMURA, Heitaro; KOISO, Kuni-
aki; MATSUI, Iwane; MATSUOKA, Yosuke; MINAMI,
Jiro; MUTO, Akira; NAGANO, Osami; OKA, Takasumi;
OKAWA, Shumei; OSHIMA, Hiroshi; SATO, Kenryo; SHI-
GEMITSU, Mamoru; SHIMADA, Shigetaro; SHIRATO-
RI, Toshio; SUZUKI, Teiichi; TOGO, Shigenori; TOJO,
Hideki; UMEZU, Youshijiro;

-Accused-

Official Court Reporters

Jack Greenberg, Chief
Fred T. Abram
James F. Barton
Antoinette Duda
Samuel Goldberg
Robert B. Morse
John J. Smith
Daphne Spratt
Elvira Whalen
Julian Wolf
Lorraine Yeldes

1 Friday, 28 June, 1946

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4 INTERNATIONAL MILITARY TRIBUNAL
5 FOR THE FAR EAST
6 Court House of the Tribunal
7 War Ministry Building
8 Tokyo, Japan

9 The Tribunal met, pursuant to adjournment,
10 at 0930.

11 - - -

12 Appearances:

13 For the Tribunal, same as before.

14 For the Prosecution, same as before.

15 For the Defense Section, same as before.

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18 (English to Japanese and Japanese
19 to English interpretation was made by OKA,
20 Takashi and TSUCHIYA, Jun, Hidekazu Hayashi
21 acting as Monitor.)
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1 MARSHAL OF THE COURT: The International
2 Military Tribunal for the Far East is now resumed.

3 THE PRESIDENT: All the accused are present
4 except OKAWA who is represented by counsel.

5 We have been served with a notice of an
6 application by the prosecution for permission to file
7 excerpts instead of entire documents.

8 Most of these matters will no doubt be
9 urgent.

10 MR. BROOKS: If the Tribunal please, I
11 have a matter I would like to bring up. Mr. Brooks,
12 representing Shumei OKAWA. I would like to request
13 the Tribunal for an order for a further medical
14 examination of Shumei OKAWA to determine the perman-
15 ancy of his mental condition, the nature thereof,
16 whether it was of a progressive nature or is of
17 a progressive nature, and the date upon which it
18 was contracted and developed to an extent to cause
19 abnormal behavior.

20 I understand from the hospital -- from the
21 members of his family and from the hospital that his
22 condition has been growing worse, and I think that
23 possibly a medical examination would be proper.

24 Did I understand the Tribunal would con-
25 sider it?

1 THE PRESIDENT: I was trying to carry on a
2 conversation while you were speaking. I am afraid
3 it was not a success. I think you will have to
4 repeat for my benefit what you have said.

5 MR. BROOKS: My request was for the
6 Tribunal to order a further medical examination
7 of Shumei OKAWA to determine the permanency of his
8 mental condition, the nature thereof, whether it
9 was and is of a progressive nature, the date upon
10 which it was contracted and developed to an extent
11 to cause abnormal behavior. I made this request
12 because of the reports that I have received that
13 his condition has steadily grown worse and is such
14 that I think -- it is not before the Court, but he
15 is suffering of paresis.

16 THE PRESIDENT: Did you finally withdraw
17 as counsel for OKAWA?

18 MR. BROOKS: No, sir. Just the other day
19 I asked to withdraw from asking cross-examination
20 in his behalf.

21 THE PRESIDENT: That is what I thought.
22 But Lord Patrick is under the impression that you
23 had withdrawn altogether from the representation of
24 OKAWA.

25 MR. BROOKS: I think the proceedings of

1 the record will bear me out that I only asked to
2 withdraw the statement that I had made that I was
3 representing OKAWA and KOISO, both, on the questions
4 in cross-examination that I asked, in order to allow
5 the other Japanese attorney, under the rules we
6 have -- the other Japanese attorney representing
7 OKAWA -- to speak in his behalf on certain questions
8 that he had, which the Court so graciously allowed.

9 If the record does not show that and is not
10 correct on that point, I would ask leave of the
11 Court to have the record corrected to show the re-
12 quest was made, and the Court granted it.

13 THE PRESIDENT: Well, we all think that the
14 further examination of OKAWA should be made to
15 ascertain his present condition and what his con-
16 dition is likely to be in the future; whether it is
17 just temporary or permanent insanity that he has.

18 We make an order in the same terms as the
19 first order, mutatis mutandis.

20 DR. UZAWA: Mr. President, if it please
21 the Tribunal, Mr. Mattice, defense counsel for the
22 accused MATSUI, has also become counsel for the
23 accused ITAGAKI.

24 THE PRESIDENT: Well, now, before we
25 proceed with this further cross-examination,

1 yesterday I was asked by a cross-examining counsel
2 whether I desired to hear anything further from
3 the witness about the Emperor's position in relation
4 to the Manchurian Incident, and I said I did not.

5 A majority of the Court are of the same
6 opinion as I am, but some of the Members of the
7 Court would like to hear the witness make a fuller
8 statement on the Emperor's position to clear up a
9 contradiction, if there be one, in his own evidence.
10 And, after all, this is not a matter to be deter-
11 mined by a majority. And, if a substantial number
12 of the Members of the Court wish to hear the
13 witness further on that matter, we will hear it
14 further.

15 I think I had better put the question to
16 the witness.
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INUKAI

1 K E N I N U K A I, called as a witness on behalf
2 of the prosecution, resumed the stand and
3 testified as follows:

4 BY THE PRESIDENT:

5 Q Yesterday, witness, you were guilty of
6 an apparent contradiction in your evidence. You
7 said, when your father approached the Emperor for
8 a Rescript in relation to the Manchurian Incident,
9 he was refused the Rescript. Later you said the
10 Emperor was a lover of peace or made a comment to
11 that effect. We would like to hear you fully now
12 on the Emperor's position in relation to the
13 Manchurian Incident.

14 A Mr. President, on hearing your question,
15 I believe that if I had continued my testimony,
16 the point on which you were not clear would have
17 been cleared up. When I was making the affidavit,
18 I gave a detailed explanation to the prosecution,
19 but the affidavit was drawn up in simple words so
20 that I feel additional explanation is necessary.

21 And, as the learned President will probably
22 understand, it is the feeling of the Japanese to
23 avoid bringing the name of our Emperor into this
24 argument. And, in line with this feeling, I hesi-
25 tated somewhat yesterday and gave only a rough

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1 explanation of the details of that incident. But,
2 today, in order to make clear certain pages in
3 Japanese history, I will dare to include the name
4 of the Emperor in my testimony.

5 When my father received the Imperial
6 Command to become Prime Minister, before the actual
7 ceremony of installation was carried out, he
8 received notice from the General, or the Elder
9 Statesman, Prince SAIONJI, to come to his residence
10 in Tokyo. This was in line with a custom which was
11 as follows: that the Prime Minister, before being
12 installed, should go to the Elder Statesman for a
13 preliminary consultation. When my father visited
14 Prince SAIONJI, Prince SAIONJI told my father that
15 it was the Emperor's wish that Japanese politics
16 should not be controlled solely by the Army -- that
17 politics in Japan should not become -- so that it
18 would seem if only the Army was controlling every-
19 thing.

20 At the time, reports appeared in various
21 newspapers and magazines to the effect that
22 Prince SAIONJI had urged my father to form a
23 coalition Cabinet, but this is a mistake. Later,
24 after my father had been officially installed as
25 Prime Minister and had had an audience with the

INUKAI

1 Emperor, my father told me that the Emperor had
2 then told him words to the same effect.

3 At the present date I have no proof that
4 my father actually said these words. But I believe
5 that, first, my father would not lie to me, as a
6 son, in an important matter as this. Second, I
7 have often seen Baron HARADA, who was secretary
8 to Prince SAIONJI, and he has later, in reminiscing
9 of those times, told me words to the same effect.
10 Later, it seems that my father told Prince SAIONJI
11 of what had transpired during his audience with
12 the Emperor. This, also, I heard from Baron
13 HARADA. Baron HARADA told me that my father had
14 spoken with great decision and that his face had
15 shown his decision. From my own impressions, also,
16 I am convinced that my father would have staked
17 his life in following the Imperial wishes.

18 As the President is aware, by the time
19 my father had become Prime Minister, the Manchurian
20 Incident had already spread to a great extent. As
21 I said in my testimony yesterday, as this Manchur-
22 ian Incident spread, it seemed that the superior
23 officers in the War Ministry and in the General
24 Staff had no power to control the motive of this
25 Incident -- that is, the Army; and it seemed to me

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1 that, in order to stop this unfortunate affair,
2 a very decisive step would have to be taken. For
3 this fundamental solution of the problem, two
4 ways were open: The first was to have an audience
5 with the Emperor and to obtain an Imperial Command
6 that the movements of the Japanese Army should
7 cease except as limited by treaty agreements, and
8 that the Japanese Army should gradually withdraw
9 from Manchuria.

10 My words were somewhat lacking. I meant
11 by this that Japanese Armies which had entered
12 Manchuria from areas outside Manchuria should re-
13 turn to their original stations -- that is, for
14 instance, the Japanese Army stationed in Korea
15 should return to Korea, and the Japanese Army
16 that was originally stationed for the purpose of
17 defending the South Manchuria railway zone should
18 return within the limits of the South Manchuria
19 railway zone.
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1 Yesterday, a counsel for the defense asked
2 me how it was possible that one person could stop
3 a state of war that was already existing. Of course,
4 my father gave much thought to this matter, night
5 and day, and finally came to the conclusion that
6 the Imperial Command was the only way out of this
7 situation, and therefore he consulted Minister of
8 State, MAEDA, who was the legal expert in his
9 Cabinet. When I asked Mr. MAEDA, after the death
10 of my father, whether this had actually been the
11 case, Mr. MAEDA replied "Yes".

12 One other conviction that my father held
13 was that the sovereignty of the Chinese Republic
14 over Manchuria should not be questioned, but in
15 actual practice my father considered that since
16 an actual state of war had existed, it would be
17 necessary for some outstanding Chinese statesman
18 to come to Manchuria to clean up the after effects
19 of the war. My father gave deep consideration to
20 the question of what kind of Chinese statesman
21 should be sent to Manchuria. First he considered --
22 he seriously considered Chang Hsueh Liang who had
23 been the actual leader in Manchuria, and who had
24 taken the epoch-making step of entering Kuomintang.

25 Q Mr. Witness, do you intend to say anything

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1 more about the attitude of the Emperor?

2 A Yes, I do. I believe that what I have said
3 heretofore is absolutely necessary in order to bring
4 out this attitude of the Emperor.

5 My father considered the three points --
6 the following three points necessary requirements
7 for this Chinese statesman to be sent to Manchuria:
8 First, that he be a member of the Kuomintang; second,
9 that he be sent with the approval of Generalissimo
10 Chiang Kai-Shek; third, that he be prepared to re-
11 sign and return to Nanking, whenever the Nanking
12 government desired him to do so.

13 THE MONITOR: Nanking government or Chiang
14 Kai-Shek.

15 With these preliminary explanations, I
16 shall now return, in accordance with the desire of
17 the President, to my main subject.

18 My father, in line with this opinion which
19 he had formed, had an audience with the Emperor and
20 gave his opinion that: First, Manchuria should not
21 be made an independent state; and, second, that the
22 Japanese Army should return to its former stations.
23 But concerning my first point, that is, whether he
24 actually asked the Emperor to issue an Imperial
25 Command, I am not sure whether he asked the Emperor

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1 directly, whether he asked him through the Lord
2 Keeper of the Privy Seal, or whether he merely con-
3 sulted Minister MAEDA and refrained from asking the
4 Emperor directly. But, in any case, I am convinced
5 that my father was intending to ask for such an
6 Imperial Command as soon as all preparations had
7 been made, and that such preparations were already
8 ninety per cent complete. At that audience the
9 Emperor told my father, then Premier, "What will
10 you do if the army is against what you advocate?"
11 Immediately after the Imperial audience my father
12 told me that he had replied to this question; "That
13 even if the entire army is against me, I shall
14 carry out this policy." During this audience the
15 Emperor frequently said that he hoped that the
16 Manchurian Incident would be stopped as quickly as
17 possible, and before it spread any further. Second,
18 that as soon as possible negotiations would be be-
19 gun with the Chinese statesman in order to find some
20 basis of eternal and fundamental peace between the
21 two countries.

22 THE MONITOR: To limit the Manchurian
23 Incident to the smallest possible scale. This was
24 a direct conversation which I had with my father.

25 These happenings, if my memory is correct,

1 occurred within ten days after my father had been
2 installed as Premier -- that is, after December 13,
3 1931, because, as I said yesterday, on December 20
4 my father's secret emissary, KAYANO, Chochi, had al-
5 ready left for Nanking. Mr. KAYANO's mission was on
6 the whole as I have stated yesterday, but the first
7 point was that as it was planned to withdraw the
8 Japanese Army -- though it was planned to withdraw
9 the Japanese Army -- as an actual state of war was
10 in existence and both sides were in a high state of
11 excitement, it was necessary that when the Japanese
12 Army did withdraw the Chinese Army would not pursue
13 them; and concerning this point it was necessary to
14 obtain General Chiang's agreement; otherwise my father's
15 words to the Emperor could not be -- otherwise, my
16 father would feel that he had not carried out his
17 responsibility to the Emperor when he had said
18 those words. In a word, these negotiations were
19 preparations for an armistice between the Japanese
20 Army and the Chinese.

21 THE MONITOR: Correction: Between the
22 Japanese Army and General Chiang.

23 The second point was consultations regard-
24 ing the dispatch of a special ambassador to Man-
25 churia -- regarding the dispatch of a Chinese

1 statesman as a special ambassador to Manchuria, with
2 the agreement of General Chiang. I should like to
3 explain that the sending of this secret emissary
4 was kept a secret from the Chief Secretary of the
5 Cabinet, MORI, Kaku, and also from the then War
6 Minister, Lieutenant General ARAKI. KAYANO was re-
7 ceived with great courtesy by the Chinese officials,
8 and although it was in the midst of a war, he reached
9 Nanking safely and began corresponding with me by
10 telegram in a code on which we had previously agreed.

11 According to KAYANO's telegram, General
12 Chiang was highly satisfied with my father's proposal,
13 and proposed to send Chu Chen, the President of
14 the Judicial Yuan at Nanking, as special ambassador
15 to Manchukuo, and the telegram further asked who the
16 Japanese proposed to send as ambassador. With my
17 father's permission I replied by telegram that the
18 Japanese ambassador would be my father's old friend,
19 YAMAMOTO, Jotaro. From about this time this special
20 telegram in code, which we had been exchanging be-
21 tween myself and KAYANO -- the delivery of this
22 telegram became very delayed at times, or sometimes
23 did not even reach me. At this time the Chief Secre-
24 tary, MORI, Kaku, called me and said, "Your father
25 is carrying on negotiations with General Chiang, which

INUKAI

1 has been kept secret even from me. Concerning this
2 the War Ministry is highly indignant.

3 THE MONITOR: Correction: The army is --

4 As I said yesterday, around December of
5 1931, there was still an opinion within the General
6 Staff and the War Ministry that Manchukuo should not
7 be established an independent state, and that Japan
8 should merely enjoy equal economic opportunity with
9 China. In January, 1932, following personnel shifts
10 within the army, this opinion ceased, and the great
11 majority of the army were convinced that Manchukuo
12 should be established as a separate state. For in-
13 stance, one section chief in the General Staff who
14 had been sympathetic with my father's views was
15 shifted to the command of the regiment at Ranan in
16 Chosen in Korea. About that time I received word
17 from KAYANO that he had encountered great difficulty
18 and that he would return to Tokyo at once. As soon
19 as he returned to Tokyo he told me that he had heard
20 from various quarters that both the Chinese --
21 both the proposed Chinese Ambassador and the proposed
22 Japanese Ambassador would be in great danger if they
23 once set foot in Manchuria.

24 THE PRESIDENT: Mr. Witness, we have heard
25 enough. Only a fraction of what you have said bears

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CROSS

1 on the Emperor's position or attitude.

2 Does any further counsel wish to cross-
3 examine?

4 MR. McMANUS: Mr. President, for expedi-
5 tious purposes, realizing the fact that my co-
6 counsel cross-examined yesterday, may I ask the
7 Tribunal to suspend the rules for just one question
8 so that I might not have to bring on the defense
9 two witnesses to this Tribunal.--one question to
10 this witness?

11 THE PRESIDENT: We are in divided opinion
12 about that. We do not want to create any new
13 precedents. What is the question?

14 MR. McMANUS: I want to ask the witness
15 whether or not General ARAKI was appointed War Minis-
16 ter on the recommendation of his father.

17 THE PRESIDENT: Yes, you can ask that.

18 A It was on my father's responsibility that
19 he finally recommended War Minister ARAKI to the
20 Emperor -- General ARAKI as War Minister.

21 THE MONITOR: Correction: The one who
22 finally recommended General ARAKI.

23 THE PRESIDENT: Yes.

24 Is there any re-examination?

25 CAPTAIN KLEIMAN: May I ask a question?

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REDIRECT

1 THE PRESIDENT: No.

2 MR. HELM: I would like to ask just one
3 question that was suggested by counsel's last ques-
4 tion, your Honor.

5 REDIRECT EXAMINATION

6 BY MR. HELM:

7 Q Why did the Premier, your father, accept
8 General ARAKI as War Minister in his cabinet?

9 A The developments leading up to the final
10 recommendation of General ARAKI as War Minister was
11 somewhat different from the ordinary way in which
12 a War Minister is recommended.
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1 Q Will you explain that, please?

2 A As you may know, the ordinary method of
3 selecting a War Minister is that the three Army Chiefs,
4 namely, the outgoing War Minister, the Chief of the
5 General Staff and the Inspector General of Military
6 Education, select the new War Minister and hint of
7 this new War Minister to the Prime Minister who,
8 following this hint, usually recommends him.

9 At this conference of the three Army Chiefs
10 the name of General ABE, Nobuuke was mentioned as the
11 most likely to become War Minister as far as the order
12 of succession went. But, at the time a great number
13 of officers of field rank, Colonel, Lieutenant Colonel,
14 and Major, were of the opinion that General ARAKI
15 should become the new War Minister; and very many of
16 these young officers often came to the headquarters
17 of my father's party, the Seiyukai, to recommend
18 General ARAKI. The reason why those young officers
19 recommended General ARAKI was first, that General ABE
20 had no sympathy or knowledge of the atmosphere or the
21 feelings of the younger officers so that if he became
22 War Minister, he would be a mere robot; whereas,
23 General ARAKI did know of the feelings of these younger
24 officers and if he became War Minister, there would
25 be no gulf between the older officers and the younger

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REDIRECT

1 officers.

2 MR. HELM: I don't want to shut the witness
3 off if the Court wants to hear him, but that is all
4 I have.

5 THE PRESIDENT: Yes, we don't want to hear
6 any more.

7 MR. OHARA: I am OHARA.

8 THE PRESIDENT: The witness is no longer
9 required. I do not recollect any fresh material on
10 re-examination.

11 (Whereupon, the witness was
12 excused.)

13 MR. HELM: Prosecution's document No. 11528.
14 I would like at this time to call Baron Reijiro
15 TAKATSUKI.

16 MARSHAL OF THE COURT: Mr. President, the
17 witness is in court and will now be sworn.

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19 (Whereupon, SHIMANOUCHI, Toshiro
20 replaced OKA, Takashi as interpreter.)
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WAKATSUKI

DIRECT

1 REIJIRO WAKATSUKI, called as a wit-
2 ness on behalf of the prosecution, being first
3 duly sworn, testified as follows:

DIRECT EXAMINATION

BY MR. HELM:

4
5 Q What is your name? Will you put the ear-
6 phones on?
7

8 A WAKATSUKI, Reijiro.

9 Q What is your age?

10 A Eighty-one, according to the Japanese reckon-
11 ing.

12 Q Have you made an affidavit for use in this
13 case?

14 A I did.

15 Q I hand you this paper and ask you if this is
16 the affidavit that you made?

17 A This is my affidavit.

18 Q At the time you read it, did you make any
19 changes or corrections on it? If so, point it out to
20 the Court.

21 A The place where correction was made has been
22 indicated on the affidavit.

23 Q Is that your signature thereon?

24 A Yes, it is.

25 Q Are the facts contained therein as corrected

WAKATSUKI

DIRECT

1 true?

2 A Yes.

3 MR. HELM: I offer prosecution's document
4 No. 11528 in evidence and ask it be appropriately
5 marked as prosecution's next in order.

6 CLERK OF THE COURT: Exhibit No. 162

7 THE PRESIDENT: Admitted.

8 (Whereupon, prosecution's exhibit
9 No. 162 was received in evidence.)

10 MR. HELM (Reading): "I, WAKATSUKI, Reiji,ro,
11 do swear on my conscience that the following is true:

12 "I was Prime Minister of Japan from April
13 1931 to December 1931. It was the policy of my
14 government to put into effect the budget prepared by
15 the HAMAGUCHI Cabinet which preceded me in office.
16 The effect of this budget was to reduce the money
17 allotted to the Army.

18 "When the Mukden Incident broke out on 18
19 September 1931 the first the Cabinet knew about it was
20 on the day following the outbreak on September 19. At
21 this time my War Minister, General MINAMI, Jiro, re-
22 ported to the Cabinet that Chinese troops had fired
23 on Japanese troops at Mukden and their fire had been
24 returned. The Cabinet agreed this had in it the ele-
25 ments of a very serious situation and expressed the

YAKATSUKI

DIRECT

1 "desire to the aforesaid War Minister MINAMI that the
2 affair be terminated at once. To this the aforesaid
3 General MINAMI agreed. The next day the Cabinet met
4 again and the aforesaid General MINAMI reported that
5 for strategic and tactical reasons it had been neces-
6 sary for the Japanese Imperial Forces to pursue the
7 Chinese troops a certain distance into Chinese ter-
8 ritory. That this was only a protective measure and
9 would in no sense be expanded.

10 "On the next day the Cabinet met again and the
11 aforesaid General MINAMI reported further expansion
12 but stated again it would not be enlarged upon. This
13 same performance was repeated on the 22nd.

14 "On the night of September 22 General HAYASHI,
15 Commander in Chief of the Korean Army moved his Army
16 across the Yalu River, thereby invading Manchuria.
17 This fact was reported to the Cabinet by the aforesaid
18 General MINAMI on the 23rd of September, the next day.
19 The aforesaid General MINAMI told the Cabinet it was
20 true that the aforesaid General HAYASHI had moved
21 without the Imperial sanction or without authority from
22 the Cabinet or the War Minister or the Chief of Staff
23 but that he, the aforesaid General HAYASHI, had received
24 an urgent request from the Kwantung Army for aid and
25 had personally deemed the situation of such an emergent

MIKATSUKI

DIRECT

1 "nature that it justified peremptory action on his
2 part.

3 "At this time it was the unanimous sense of the
4 Cabinet that these operations in Manchuria must cease
5 immediately and the aforesaid War Minister General
6 MINAMI agreed to put this Cabinet policy into effect
7 with the Army at once. However, day after day ex-
8 pansion continued and I, the Prime Minister, had
9 various conferences with the aforesaid War Minister,
10 General MINAMI. I was shown maps daily on which the
11 aforesaid General MINAMI would show by a line a
12 boundary which the Army in Manchuria would not go
13 beyond and almost daily this boundary line was ig-
14 nored and further expansion was reported but always
15 with assurances that this was the final move.

16 "At this time the Vice Minister of War was Lt.
17 General SUGIYAMA, Hajime; the Chief of the Army
18 General Staff was General KANAYAMA, Hanzo; the Vice Chief
19 of the Army General Staff was General MINOMIYA, Haru-
20 shige; and the Chief of the Military Affairs Bureau
21 was General KOISO, Kuniaki.

22 "I tried everything I could think of in an effort
23 to control this situation but without success. My
24 last move was to try to form a coalition Cabinet
25 with the Seiyukai Party, hoping that with the combined

WAKATSUKI

DIRECT

1 "strength of the Minseito and Seiyukai Parties I
2 would be able to control the Army in Manchuria but
3 various Cabinet members were unwilling to form such
4 a coalition so this measure failed.

5 "At this time the situation stood thusly: the
6 policy of my Cabinet had never varied on the Manchur-
7 ian question. My Cabinet had unanimously opposed any
8 expansion by the Army and had, day after day, been
9 unceasing in its efforts to terminate aggressive oper-
10 ations in that territory. Further, the aforesaid
11 War Minister MINAMI had failed to control the Army
12 in Manchuria and had not carried out the unanimous
13 policy of the Cabinet in this matter, therefore, I
14 resigned as Prime Minister and my Cabinet with me."
15 Signed "R. WAKATSUKI"

16 You may ask.

17 THE PRESIDENT: This is a convenient break.
18 We will recess now for fifteen minutes.

19 (Thereupon, at 1045, a recess was
20 taken until 1100, after which the proceedings
21 were resumed as follows, English to Japanese
22 and Japanese to English interpretation being
23 made by OKA, Takashi and SHIMANOUCHI, Toshiro,
24 Akira Itani acting as Monitor.)
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WAKATSUKI :

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1 MARSHAL OF THE COURT: The Tribunal is now
2 resumed.

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4 R E I J I R O W A K A T S U K I, called as a witness
5 on behalf of the prosecution, resumed the stand
6 and testified as follows:

7 MR. T. OKAMOTO: I am Counsel OKAMOTO. I
8 should like to have the witness understand that since
9 it has been the order of the President of this Tri-
10 bunal to put as simple a question as possible, I
11 shall do so, but I do hope that it will not be taken
12 as lack of respect for you, Mr. Witness.

CROSS-EXAMINATION

13
14 BY MR. T. OKAMOTA:

15 Q May I ask the witness with respect to a
16 statement made by you in the second paragraph of your
17 affidavit, that it was the policy of your government
18 to put into effect the budget prepared by the
19 HAMAGUCHI Cabinet which preceeded you in office.
20 May I inquire whether the policy of the HAMAGUCHI
21 Cabinet and your cabinet was the same.

22 A My cabinet followed the line of policy
23 that had been laid down by the HAMAGUCHI Cabinet
24 but, in accordance with the different happenings
25 that occurred at different times, the policies

WAKATSUKI

CROSS

1 carried out by my cabinet may have been somewhat
2 different from that of the HAMAGUCHI Cabinet, but the
3 line of policy was the same.

4 Q What is the name of the political party of
5 the HAMAGUCHI Cabinet and your Cabinet?

6 A The Minseito Party.

7 Q Can you list the main points in the policy
8 of the Minseito?

9 A Before I became Prime Minister I had resigned
10 from the cabinet and for a long time I had been in
11 retirement at Ito in Isu. Of course I belonged to
12 the Minseito Party but I was not fully conversant
13 with every detail of the platform of the Minseito
14 Party. When I said that my cabinet followed the line
15 of policy set by the HAMAGUCHI Cabinet, I meant
16 merely that my cabinet followed the policy which
17 HAMAGUCHI had already laid down, and I can't give
18 you the details of the platform of the Minseito
19 Party unless you ask me specifically what they were.

20 Q Then, what do you mean by putting into
21 effect the budget prepared by the previous HAMAGUCHI
22 Cabinet? Do you mean to say to carry out the policy
23 of reducing the expenditures allotted to the military?

24 MONITOR: Correction: Does this represent
25 only one of the policies followed by your own cabinet?

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CROSS

1 was not the policy of the government also to reduce
2 the salaries of military men?

3 A In line with the retrenchment policy, I
4 appointed a committee to investigate various measures
5 to be taken, but this investigation had not been
6 completed when my cabinet resigned. Therefore, it
7 cannot be said that my cabinet necessarily carried
8 out a reduction in the salaries of government employees
9 and military and naval men.

10 Q Then the plan, as you say, was not carried
11 out; but, with respect to the policy itself, was
12 General MINAMI in favor or was he against it?

13 A As General MINAMI knew that a committee had
14 been appointed and was investigating measures to be
15 taken in connection with the retrenchment policy, he
16 wasn't against any investigation carried out by this
17 committee, but I cannot say whether he was in favor
18 or not of the results obtained by such a committee.

19 Q When did you, Mr. Witness, first hear that
20 hostilities between Japan and China had broken out
21 in Mukden on the 18th of September 1931?

22 A The morning of the next day.

23 Q What time?

24 A I cannot state the time definitely. I
25 believe it was around seven a.m.

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1 A The budget was already made up by the
2 HAMAGUCHI Cabinet when I became Prime Minister, so
3 that it goes without saying that I accepted this
4 budget without question. The financial policy of
5 my cabinet as a whole followed the financial policy
6 of the HAMAGUCHI Cabinet, which was that of retrench-
7 ment.

8 Q There is no mistake, then, that MINAMI,
9 Jiro was the War Minister in your Excellency's cabinet?

10 A Yes, he was.

11 Q Was War Minister MINAMI in favor of or against
12 reduction in military expenditures?

13 A As you know, the budget is drawn up after
14 September and it is not submitted until January of
15 the next year. This was the practice of the time.
16 So that the budget was never actually presented during
17 my tenure of office as Premier. I had fixed the policy
18 in line with the retrenchment policy of the HAMAGUCHI
19 Cabinet and had appointed a committee to study and
20 draw up the budget, but it had not been presented
21 while I was Premier.

22 Q Then, may I approach you from another angle
23 with respect to your retrenchment or reduction of
24 of expenditures? Parallel with the reduction in
25 the salaries of government officials in general,

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CROSS

1 was not the policy of the government also to reduce
2 the salaries of military men?

3 A In line with the retrenchment policy, I
4 appointed a committee to investigate various measures
5 to be taken, but this investigation had not been
6 completed when my cabinet resigned. Therefore, it
7 cannot be said that my cabinet necessarily carried
8 out a reduction in the salaries of government employees
9 and military and naval men.

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11 out; but, with respect to the policy itself, was
12 General MINAMI in favor or was he against it?

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14 been appointed and was investigating measures to be
15 taken in connection with the retrenchment policy, he
16 wasn't against any investigation carried out by this
17 committee, but I cannot say whether he was in favor
18 or not of the results obtained by such a committee.

19 Q When did you, Mr. Witness, first hear that
20 hostilities between Japan and China had broken out
21 in Mukden on the 18th of September 1931?

22 A The morning of the next day.

23 Q What time?

24 A I cannot state the time definitely. I
25 believe it was around seven a.m.

1 Q From whom did you hear that, hear the report?

2 A From the War Minister.

3 Q Do you recall the fact that actually a
4 telephone message had been made by the War Minister
5 to you at six a.m.?

6 A As I just said, by around seven o'clock I
7 meant sometime in the morning. I don't remember
8 whether it was seven o'clock or six o'clock but it is
9 true that I did receive a telephone call from General
10 MINAMI about that time.

11 Q Does the witness recall that in his tele-
12 phonic conversation with you General MINAMI had
13 proposed an extraordinary session of the cabinet?

14 A I don't recall any such fact.

15 Q You don't recall the cabinet meeting con-
16 vened on the 19th of September, 1931. But is it not
17 true that the cabinet at that meeting decided on a
18 non-expansion policy in Manchuria?

19 A It is a fact that the cabinet session was
20 held that morning. I don't recollect whether it was
21 a session that had already been planned beforehand
22 or whether I decided at that time to hold it. But
23 it is a fact that the cabinet met at ten a.m. and
24 decided upon a line of policy which you have just
25 spoken of.

1 Q Do you recall that after the cabinet decision
2 had been taken with respect to this policy, Minister
3 of War MINAMI telegraphed an order to the Kwantung
4 Army informing the army authorities of this decision?

5 A I believe so because, as I have said, the
6 cabinet decided on this policy and General MINAMI
7 said that the army would follow this policy so that
8 I believe he did send this telegram.

9 MONITOR: Correction: It was decided that
10 the army was to follow the line of policy adopted and
11 I believe MINAMI acted accordingly.

12 Q Was that the unanimous decision of all
13 members of the cabinet?

14 A Yes, it was.

15 Q Then do you recall any conversation that
16 MINAMI had with you that in the Mudken area the
17 Japanese were short of forces and that it was suggested
18 that the Korean Army be dispatched?

19 A He did not bring this matter up at a cabinet
20 meeting. He may have talked to me of this at some
21 time or other but I do not at the present time recollect
22 it.

23 Q Is it not a fact, Mr. Witness, that on the
24 22nd of September, at a special session of the cabinet,
25 it was unanimously decided that the Korean Army be

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1 dispatched to Manchuria and that also a unanimous
2 decision was made with respect to expenditures
3 necessary for that purpose?

4 A That is not true.

5 Q Do you actually definitely deny it?

6 A I do not remember any such happening.

7 MONITOR: Correction: I do not know of any
8 such incident.

9 Q Then what would you say was the source of
10 the expenses for the dispatch of the Korean Army?

11 A This was much later. After the army in
12 Korea had already gone into Manchuria, it was decided
13 that, unless the expenses of the army were paid, that
14 army would be in danger, so it was decided to pay the
15 expenses of that army, but this was much later and
16 was not at the session of which you speak.

17 MONITOR: Correction: "That army" should
18 read "Japanese army as a whole would be in danger."

19 Q Then, Mr. Witness, do you recall the fact
20 that after this decision for the dispatch of the
21 Korean Army to Manchuria had been taken, you, as
22 Prime Minister, had made a report thereon to the
23 Emperor?

24 A I remember that I did inform the Emperor
25 that the cabinet had decided to pay the expenses of

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CROSS

1 the Japanese Army in Manchuria, but that was much
2 later and it wasn't the decision of the cabinet that
3 I reported to the Emperor.

4 THE PRESIDENT: You said you were going to
5 use only simple questions. That was a compound ques-
6 tion, a double question.

7 Q Do you recall that the Chief of the General
8 Staff had received Imperial sanction for an Imperial
9 Command?

10 A I am aware of the fact that the Army Chief of
11 Staff later obtained -- later requested the Imperial
12 sanction.

13 Q When was that?

14 A I don't remember the exact date.
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1 Q In your affidavit, Mr. Witness, the dates are
2 rather clearly stated. Does this mean that you
3 remembered dates rather clearly when you prepared the
4 affidavit?

5 A I have set down the dates that I definitely
6 remember in the affidavit. Other dates which I do
7 not remember definitely I cannot speak of here. But
8 I may say that the Army Chief of Staff asked for the
9 Imperial sanction not many days after the army in
10 Korea had entered Manchuria.

11 MR. T. OKAMOTO: At this time I should like
12 to submit a motion to you, Mr. President.

13 Mr. President, as you have just heard, the
14 dates mentioned in the affidavit are very clear; but
15 in the cross-examination of this witness, the dates
16 are not clear to him. There is definitely an incon-
17 sistency there. It seems, therefore, that this
18 affidavit was prepared by the prosecution. And so
19 it is presumed that this affidavit was prepared on
20 the basis of what the witness had spoken about.

21 Therefore, I request that the record of the
22 interrogation of the witness by the prosecution be
23 submitted to this Court.

24 THE PRESIDENT: I did not get that last.

25 MR. T. OKAMOTO: That, therefore, the record

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1 of the interrogation of this witness by the prosecu-
2 tion be submitted to the Court.

3 THE MONITOR: Correction: Stenographic
4 record.

5 THE PRESIDENT: That is never done. That
6 is a proof of evidence which we do not compel the
7 prosecution or even the defense to produce in court
8 except perhaps under very exceptional circumstances,
9 which I cannot conceive as arising here. If there
10 are any differences between the evidence as given by
11 this witness on affidavit and the evidence given by
12 him here, the Court will bear the differences in mind
13 in weighing up the value of the testimony. I told
14 you when this affidavit evidence was permitted that
15 the Court would expect a high standard of answers
16 from the witnesses who had that advantage.

17 MR. T. OKAMOTO: Then I shall go to another
18 question.

19 Q Does the witness recall that War Minister
20 MINAMI had ordered the Kempei-Tai or gendarmery to
21 arrest younger officers in the middle of October?

22 A I have heard of this story.

23 Q Did not the War Minister make a report of
24 this fact to the Diet?

25 THE MONITOR: Correction: To the cabinet

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1 meeting.

2 A That was the occasion of the Festival of
3 the Harvest on November 23 -- on October 17, and there
4 had been a ceremony performed at the Imperial Palace
5 and all the members of the cabinet had attended that
6 ceremony. It was on this occasion that General
7 MINAMI told me of this.

8 Q Was there a report as to why War Minister
9 MINAMI had arrested these younger officers?

10 A I do not recall the matter exactly. But I
11 think it was something as follows: The younger
12 officers had contemplated an attempt on my life and
13 the gendarmes had stopped this attempt. But I do
14 not recall the matter definitely.

15 Q Have you heard why these younger officers
16 had contemplated doing harm upon your person?

17 A No, I have not heard of any reason.

18 Q Do you recall the fact that on the 8th
19 of November and the 26th of November, on two occa-
20 sions, there was a Chinese disturbance in Tientsin?

21 THE MONITOR: Correction: Disturbance by
22 Chinese troops in Tientsin.

23 A I do not remember.

24 Q Then, do you have any recollection as to the
25 repeated requests from Tientsin for the dispatch of

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1 Japanese troops?

2 A I am afraid I do not remember any such thing.

3 Q Then, I take it that you also do not know
4 that War Minister MINAMI had flatly rejected the
5 requests?

6 A No, I do not remember this, either.

7 Q Do you recall a plan of the Kwantung Army to
8 advance into Chinchou in the middle of November?

9 A I do not remember the exact date, but I know
10 that the Japanese Army was approaching Chinchou and
11 was practically about to enter the city gates.

12 Q Then do you recall that War Minister MINAMI,
13 through General KANAYA, Chief of the Army General
14 Staff, had issued orders to stop the Japanese Army
15 from advancing onto Chinchou?

16 A I am well aware of the fact that the Army
17 Chief of Staff ordered the Japanese Army to stop
18 its advance on Chinchou and not to enter that city.
19 I am not aware, however, whether General MINAMI
20 told the Chief of Staff to order this or not.

21 Q Then, are you aware of the fact that General
22 KANAYA, Chief of Staff, had ordered the army not to
23 advance onto Chinchou and to withdraw to a place
24 called Hsingmingtung, one hundred fifty miles to the
25 rear?

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1 A From what I know I am aware of the fact that
2 the Chief of Staff ordered that the army should not
3 advance one step further from the position it was
4 then holding, but I don't know whether he told the
5 army to withdraw to -- Japanese spelling -- Shiheigai
6 or not.

7 Q In my last question I did not say Shiheigai;
8 I said Hsingmingtung.

9 A I made a mistake. I do not recollect the
10 Army Chief of Staff having ordered the army to with-
11 draw to Hsingmingtung.

12 Q Then do you recall the fact that at the
13 official residence of the Prime Minister you had
14 drunk a toast with the War Minister in your elation
15 over the fact that the attack, advance and attack
16 on Chinchou had stopped?

17 A The cabinet, the government, was very much
18 against the Japanese Army entering Chinchou. Con-
19 sequently, I was very happy that the advance on
20 Chinchou had been stopped. But I do not recollect
21 whether or not I drank a toast with General MINAMI
22 about this.

23 Q Do you recall then that there were grand
24 maneuvers -- military maneuvers were held in Kyushu
25 in November?

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CROSS

1 A Yes. I do remember that.

2 Q Then, do you recall the fact that although
3 General MINAMI had to attend these grand maneuvers,
4 he had declined the invitation and remained in
5 Tokyo?

6 A I do not remember this. There may have
7 been such a thing, but I do not remember it.

8 Q In the last paragraph of your affidavit
9 you state: "The policy of my cabinet had never
10 varied on the Manchurian question. My cabinet had
11 unanimously opposed any expansion by the Army, and
12 had day after day been unceasing in its efforts
13 to terminate aggressive operations in that territory."

14 When you use the word "unanimously" that
15 also includes General MINAMI, does it not?

16 A General MINAMI was present at almost every
17 cabinet meeting. I do not know whether or not he
18 was present at every single cabinet meeting, but at
19 least he was always present during every meeting which
20 had to do with the Manchurian Army -- with the activi-
21 ties of the Japanese Army in Manchuria. Therefore, I
22 believe that General MINAMI agreed in the unanimous
23 opinion of the cabinet.

24 THE MONITOR: Correction: Therefore, I
25 believe that MINAMI also was opposed to the spreading

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1 of the warfare in Manchuria.

2 Q In the same passage you use the words "aggres-
3 sive operations in that territory," namely, Manchuria.

4 Now, was this expression actually used by
5 you, or was that used by the prosecution when prepar-
6 ing the affidavit?

7 A That word is used in this sense: The Japan-
8 ese Army in Manchuria continued to expand the incident
9 against the wishes of the government. I do not know
10 whether the exact word used in the affidavit is
11 "aggression" or not, but anyway that is what is meant.

12 Q Then, Mr. Witness, before signing this affi-
13 davit was it read to you, or did you read it yourself?

14 A I read it.

15 Q The affidavit uses the word "aggressive."
16 Now, did you use that word yourself, personally?

17 A As my English is very insufficient, I am
18 unable to get the true meaning of the English word.
19 But I wish to state that what is stated there are
20 the facts.

21 THE MONITOR: Correction: As my knowledge
22 of English is very limited, I cannot say that the
23 English phrases used there in the affidavit actually
24 express what I meant to say.

25 Q By that do you mean, Mr. Witness, that you

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1 have never read the Japanese version of the affidavit?

2 A Yes, I did read it.

3 Q Wasn't the word "aggressive" used therein?

4 A As I do not have the text here by my side I
5 cannot say whether that word was actually used or not.
6 Whenever I look at something if I can get the general
7 drift of it, that is sufficient for me, and I did not
8 study the exact meaning of any word very deeply.

9 Q The unanimous decision of the cabinet in
10 adopting the policy was that this was the execution
11 of self-defense on the part of the Kwantung Army.
12 Do you mean to call this aggressive operations?

13 THE MONITOR: Correction: This was the
14 exercising of the right for self-defense.

15 A Of course, the army always said that its
16 actions were an act of righteous self-defense, and
17 the War Minister reported to the cabinet that the
18 Liu-tiao-kao Incident was an act of self-defense.
19 I do not know actually whether it was so or not.
20 But if I am told that it was in the cabinet I must
21 accept this explanation, at least for the time being;
22 therefore, I accepted this opinion, and I believe
23 that it was.

24 But I do not mean to say that I, myself,
25 investigated this fact and made sure for myself

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1 whether it was actually an act of self-defense or not.
2 Before my cabinet had time to carry out these investi-
3 gations and to take the proper corrective steps, my
4 cabinet had to resign.

5 Q Then, who do you think holds the political
6 responsibility for the operations of the Kwantung
7 Army at that time?

8 A The structure of government in Japan is such
9 that the government may not interfere in the actions
10 of the army. Therefore, as far as the actions of the
11 army is concerned, I suppose there is some military
12 man responsible for them.

13 Q When you say army, does that include War
14 Minister MINAMI?

15 A I mean men who had to do with the Imperial
16 prerogative of the Supreme Command.

17 Q Then, may I interpret those words to mean
18 the Chief of the Army General Staff?

19 A The government does not know who is respon-
20 sible for matters of the Supreme Command. Therefore,
21 I cannot definitely state that it was the Chief of
22 the Army General Staff or not.

23 Q In the last part of your affidavit, you
24 say that War Minister MINAMI had failed to control
25 the army in Manchuria and had not carried out the

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1 unanimous policy of the cabinet in this matter and,
2 therefore, you resigned as Prime Minister, and your
3 cabinet with you. This seems to indicate, infer,
4 that the cabinet was obliged to resign by some
5 action on the part of General MINAMI, Will you
6 clarify that?

7 A It is a fact that in spite of the fact that
8 the cabinet had decided on the policy of stopping
9 the Manchurian Incident, the Manchurian Incident
10 continued to spread and expand. This is a very sad
11 truth, but that is the truth. And it was my wish,
12 my desire, to bring the Manchurian Incident to a
13 close as soon as possible, and for this purpose I
14 bent all my efforts. Various methods were tried,
15 and one of these was a coalition cabinet, that is,
16 a cabinet of national unity, which I hoped might be
17 able to stop the action of the Manchurian Army.
18 However, because of certain difficulties this
19 did not materialize and that is why my cabinet
20 resigned. That is what I desire to say in this part
21 of the affidavit, and that is what should be written
22 there.

23 THE PRESIDENT: We will adjourn now until
24 thirty minutes after one.
25

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1 (Whereupon, at 1200, an adjournment
2 was taken until 1330, after which the proceed-
3 ings were resumed as follows:)
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AFTERNOON SESSION

The Tribunal met, pursuant to recess,
at 1330.

MARSHAL OF THE COURT: The International
Military Tribunal for the Far East is now resumed.

DR. UZAWA: I wish to present --

THE PRESIDENT: Better finish the cross-
examination by this counsel.

MR. T. OKAMOTO: I should like to have the
reply to the last question I put before we recessed.
this morning.

(Whereupon the last answer of the
witness was read by the official court
reporter as follows:)

"A It is a fact that, in spite of the fact
that the cabinet had decided on the policy of
stopping the Manchurian Incident, the Manchurian
Incident continued to spread and expand. This is
a very sad truth, but that is the truth. And it
was my wish, my desire, to bring the Manchurian
Incident to a close as soon as possible, and for
this purpose I bent all my efforts. Various
methods were tried, and one of these was a coalition
cabinet, that is, a cabinet of national unity, which

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1 I hoped might be able to stop the action of the
2 Manchurian Army. However, because of certain dif-
3 ficulties, this did not materialize, and that is
4 why my cabinet resigned. That is what I desire to
5 say in this part of the affidavit, and that is what
6 should be written there."
7

- - -

8 R E I J I R O W A K A T S U K I, called as a witness
9 on behalf of the prosecution, resumed the stand
10 and testified as follows:
11

12 BY MR. T OKAMOTO (Continued):

13 Q According to the last statement made by the
14 witness, efforts were made to try to form a national
15 unity cabinet in order to control the army in Man-
16 churia. Was such an action -- control of the army
17 in Manchuria through such a cabinet -- possible?

18 A That was only my hope, and I cannot say
19 whether, if such a cabinet had come about, it would
20 have been possible to have attained the results that
21 have been hoped for. However, I had tried various
22 steps but without good results. And I thereupon
23 came to the conclusion that, if a cabinet of
24 national unity was formed, it would show that the
25 people as a whole were not in favor of the spreading

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1 of the Manchurian Incident, and if this was made
2 clear, the army would naturally be controlled. That
3 was my idea; and, whether that idea was right or
4 wrong, I cannot say.

5 Q However, the public reputation at that time
6 was that the then Minister of Home Affairs, ADACHI,
7 had tried to form a coalition cabinet but that you
8 had prevented that.

9 THE MONITOR: Correction: Coalition cabinet
10 consisting of Seiyukai parties -- party members and
11 Minseito party members.

12 A My answer will be rather long. Will you
13 permit me to make some explanation?

14 MR. T. OKAWOTO: Mr. President, will you
15 permit a lengthy explanation?

16 THE PRESIDENT: Yes, for the time being.
17 I don't know how long it is going to be or how
18 useful. I may have to prevent the explanation
19 from being carried beyond a certain point, but let
20 him proceed.

21 A (Continuing) It was my hope the spreading
22 of the Manchurian Incident was against the hopes
23 of the government, and I viewed this development
24 with great alarm and misgiving, and I took every
25 step possible to prevent the further expansion of

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1 this Incident. Finally, coming to the conclusion
2 that the government, as at the time constituted --
3 that is, only by the Minseito party -- was too
4 weak, and that at this time we would have to in-
5 clude the Seiyukai party -- that is, the opposition
6 party -- and show that it was the people's wish
7 that the Manchurian Incident be stopped and thus
8 to cause the army to self reflect.

9 Thereupon, I asked Home Minister ADACHI,
10 who was well versed in the situation of the politi-
11 cal parties, to find out what the Seiyukai thought
12 of the matter, if the Seiyukai was willing to join
13 my cabinet, and, if so, in what manner this was to
14 be accomplished. But, if a coalition cabinet was
15 to be formed, it would be necessary to change a
16 few cabinet ministers.

17 Therefore, while asking Home Minister
18 ADACHI to ask the opinions of the Seiyukai, I,
19 myself, contacted one or two of my colleagues --
20 of my fellow ministers -- and told them that "I
21 am thinking of establishing a coalition cabinet.
22 What do you think of this?" These ministers whom
23 I contacted replied that a coalition cabinet should
24 be formed only after much deliberation because, if
25 the composition of the cabinet were changed, the

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1 diplomatic and financial policies of the cabinet
2 would necessarily have to change, so that it might
3 not be for the good of Japan.

4 Confronted with this opposing opinion,
5 I, as Prime Minister, was forced to give my own
6 judgment on the matter. I weighed the advantages
7 and disadvantages of a coalition cabinet and fin-
8 ally came to the conclusion that, if a coalition
9 cabinet were formed with its attending changes in
10 policy, it would not be for the good of Japan
11 and, therefore, asked Home Minister ADACHI to stop
12 his negotiations with the Seiyukai.

13 The Home Minister, in spite of this, con-
14 tinued to negotiate with the Seiyukai so that public
15 opinion became very critical of the government, and
16 there were many rumors to the effect that the
17 government -- that the cabinet was not united.
18 This would be very bad for the cabinet.

19 I even talked with the Home Minister
20 personally and asked him please to stop these
21 negotiations, but it seemed that the negotiations
22 continued. And, as this would give rise to all
23 kinds of rumors, I decided that all the cabinet
24 ministers should convey to the Home Minister that
25 they were against the further continuation of these

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1 negotiations and, for this purpose, asked for the
2 Home Minister to attend a cabinet meeting.

3 The Home Minister, however, did not come
4 to this meeting. No matter how many times we
5 telephoned, no matter how many times we sent
6 messengers, he would not come, so that finally we
7 were forced to ask him to resign. The Home Minister's
8 reply was that he would not resign unless the cabinet
9 resigned as a whole. At this point the cabinet
10 showed that it was completely disunited, and the
11 government could no longer continue on the present
12 basis. Therefore, I decided on a resignation en
13 masse and submitted the resignation of the entire
14 cabinet.

15 Q Then the conclusion would be, Mr. Witness,
16 that the collapse of your cabinet was caused by
17 ADACHI and not by the attitude or the action of
18 the War Minister MINAMI?

19 A I did not call for the resignation of
20 Home Minister MINAMI, and I cannot say who did what,
21 but I can only say that the cabinet resigned be-
22 cause it was not united.

23 THE MONITOR: Correction:

24 (Whereupon the interpreter reframed
25 the answer as follows:)

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CROSS

1 A It is not true that Home Minister MINAMI
2 was called to resign.

3 THE MONITOR: Correction: It is not true
4 that Home Minister MINAMI caused the cabinet
5 resignation. He said "Home Minister MINAMI."

6 MR. T. OKAMOTO: The witness said "War
7 Minister MINAMI."

8 THE MONITOR: The witness said "Home
9 Minister MINAMI."

10 MR. HELM: If your Honor please, I would
11 like to have that question asked over.

12 THE PRESIDENT: Yes. Ask him what he
13 said. It might have been a slip of the tongue.

14 Q Is it not true, Mr. Witness, that the
15 collapse of your cabinet was caused not by any
16 actions on the part of the War Minister MINAMI
17 but by the actions of the Home Minister ADACHI?

18 A The direct cause of the fall of the cabinet
19 is as you have said.

20 Q Have you any impression, Mr. Witness,
21 that the War Minister MINAMI had been obstructing
22 the prosecution of the policy of the cabinet?

23 A As War Minister MINAMI always came to
24 cabinet meetings and never raised any objection
25 to policies decided by the cabinet, I do not

WAKATSUKI

CROSS

1 believe that War Minister MINAMI did anything in
2 opposition to the policy of the cabinet.

3 Q Do you remember, then, who was the
4 Commander-in-Chief of the Kwantung Army in Sep-
5 tember, 1931?

6 A My memory is not very dependable. How-
7 ever, I believe that it was General HONJO,
8 Shigeru.

9 Q Who do you think, Mr. Witness, has the
10 authority to command the Commander-in-Chief of
11 the Kwantung Army, General Shigeru HONJO?

12 A In my belief, it is the War Minister that
13 is in charge of the administration of the army,
14 and it is the Chief of the General Staff of the
15 army that is in charge of strategic and operational
16 matters. But, I am not well versed in army matters.

17 Q When you say "military administration,"
18 are you referring to questions of personnel and
19 budget?

20 A On the whole I believe it is as you say.
21 But, to tell the truth, I, myself, do not know the
22 limits of what the army considers army adminis-
23 tration.

24 Q Then, do you recall who was then the Chief
25 of the Army General Staff?

WAKATSUKI

CROSS

1 A I believe that the Chief of the Army
2 General Staff was something HANZO. It is in the
3 affidavit that I wrote, but I am not sure. It has
4 just slipped my mind at the present moment.

5 Q May I ask, do you think that the War
6 Minister has authority to command the Chief of
7 Staff?

8 A I do not know of matters concerning the
9 Supreme Command, but my own understanding of the
10 matter is that the War Minister has no authority
11 to command the Chief of the Army General Staff.
12 However, this is -- my knowledge of army matters
13 is insufficient, and I am not at all sure whether
14 this is really so or not.
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WAKATSUKI

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1 THE PRESIDENT: I would like to commend
2 the Japanese counsel who has just concluded the
3 cross-examination on the way he has handled the
4 witness.

5 MR. FURNESS: I desire to examine in behalf
6 of Mr. Mamoru SHIGEMITSU.

7 CROSS-EXAMINATION (Continued)

8 BY MR. FURNESS:

9 Q Baron WAKATSUKI, could you state briefly
10 the foreign policy of your Cabinet with particular
11 regard to China and Manchuria?

12 A In my Cabinet, the establishment of friendly
13 relations between Japan and China was considered to
14 be the most important means for the attainment of
15 peace in Asia. This has been the consistent policy
16 of my Cabinet.

17 Q The policy was against interference in the
18 affairs in China with respect to the sovereignty
19 of China, was it not?

20 A Yes, of course, respect for Chinese sover-
21 eignty.

22 Q During your tenure of office as Prime Minis-
23 ter at this time, the Minister to China was Mr.
24 Mamoru SHIGEMITSU, was he not?

25 A Yes.

WAKATSUKI

CROSS

1 Q And he, as such minister, and your repre-
2 sentatives to the League of Nations made every effort,
3 did they not, to carry out that policy?

4 I will repeat it again.

5 During your tenure of office your Minis-
6 ter to China, Mr. SHIGEMITSU, made every effort as
7 far as you could see to carry out that policy of
8 friendship and neighborliness?

9 A Yes, he did.

10 Q In your affidavit you state that the policy
11 with respect to Manchuria was in opposition to any
12 expansion of the army's operations; that such opera-
13 tions must cease immediately, and that aggressive
14 actions terminate. In these efforts of yourself
15 and your Cabinet to carry out this policy, you had
16 the full cooperation of Mr. SHIGEMITSU, did you not?

17 A There is no mistake, generally speaking,
18 with respect to diplomatic matters, that Mr. SHIGE-
19 MITSU carried out the policy of the government.

20 MR. FURNESS: No further questions.

21 MR. BROOKS: I am appearing on behalf of
22 General KOISO.
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WAKATSUKI

CROSS

CROSS EXAMINATION (Continued)

1
2 BY MR. BROOKS:

3 Q Mr. Witness, the Military Affairs Bureau,
4 which you mention in your affidavit, was under the
5 Cabinet and was not under the Army General Staff,
6 is that correct?

7 A The Military Affairs Bureau belongs to
8 the Ministry of War. General KOISO was Chief of
9 that Bureau.

10 Q And that was part of the Cabinet and not
11 under the Army General Staff, is that correct?

12 A The Military Affairs Bureau is concerned
13 with political affairs and is not a part of the
14 General Staff.

15 Q Therefore, the Chief of the Military Af-
16 fairs Bureau did not have the power to prevent or
17 stop the spread of the trouble in Manchuria, or to
18 require the troops to withdraw, is that correct?

19 A I do not know whether any actions on the
20 part of the army -- I do not know whether the Mil-
21 itary Affairs Bureau could interfere in army action
22 which is connected with the Supreme Command. All
23 I know is that military administration is under the
24 War Office of the Ministry of War and operational
25 matters under the Supreme Command. As I said before,

WAKATSUKI

CROSS

1 I have very little knowledge about military matters.

2 MR. BROOKS: Thank you.

3 M. TAKANO: I am counsel for the defendant,
4 KAYA.

5 CROSS-EXAMINATION (Continued)

6 BY MR. TAKANO:

7 Q May I ask you, Mr. Witness, whether the
8 reduction in military expenditures, which you refer
9 to in your affidavit as being one of the important
10 planks in your policy, was also favored by the then
11 Finance Minister, INOUE, Junnosuke.

12 A My Cabinet, as I have often stated, advo-
13 cated a policy -- a general policy of retrenchment,
14 and in line with this policy a committee was formed
15 to investigate financial affairs and to carry out
16 reductions. The investigations might have resulted
17 in the reduction of the budget of the army, but, as
18 I have said, it did not go -- it had not progressed
19 that far. However, as Finance Minister -- INOUE
20 had been Finance Minister in the preceding HAMAGUCHI
21 Cabinet also and continued in that post in my Cabinet
22 -- I believe that he was in favor of carrying out
23 that policy.

24 Q Then, if the policy and attitude of the
25 Cabinet as a whole, and of the Finance Minister, was

WAKATSUKI

CROSS

1 as you stated, then, do you not also think that of-
2 ficials within the Ministry of Finance, who were con-
3 cerned with budgetary matters, also cooperated in
4 line with that policy; for instance, officials in the
5 Intendant Bureau?

6 A That is so.

7 Q The defendant, KAYA, was at that time at-
8 tached to the Intendant Bureau of the Ministry of
9 Finance. Do you think he was carrying out faith-
10 fully the duties of his office in line with the
11 policy?

12 A I believe so.

13 Q In your affidavit, Mr. Witness, you state
14 that your government was unceasing in its efforts to
15 terminate aggressive operations in that territory,
16 meaning Manchuria. Now, not only Manchuria, but
17 with respect even to China as a whole, Asia, and
18 even the southern regions, it is so, is it not, that
19 your Cabinet did not decide upon an aggressive policy?

20 A I understand your question to mean that my
21 Cabinet did not carry out -- your question to mean
22 whether or not my Cabinet was carrying out an
23 aggressive policy in regard to China as a whole and
24 the southern regions. To this question the answer
25 is "No."

WAKATSUKI

CROSS

1 Q Now, speaking of the inter-relation of your
2 Cabinet with that before you and after you, I do not
3 think that the Cabinet preceding you had passed on
4 to you an aggressive policy, nor that your Cabinet
5 had passed on to the succeeding Cabinet a similar
6 policy. May I have your confirmation?

7 A It is as you say.

8 Q Then, may I inquire that whether offi-
9 cially, in public or even in secret, you have not
10 discussed at any time the question of taking an
11 aggressive policy?

12 A As far as I am concerned, no.

13 MR. LOGAN: May it please the Tribunal.

14 CROSS EXAMINATION (Continued)

15 BY MR. LOGAN:

16 Q Do you know of any plan or conspiracy that
17 was in existence by these accused, or any other
18 persons at the time you held your office, to plan
19 and wage wars of aggression, to conquer China and
20 the Pacific Ocean, and eventually the world?

21 A I have never heard of anything of the kind.

22 MR. LOGAN: Thank you.

23 THE PRESIDENT: Is there any further cross-
24 examination?

25 DR. KIYOSE: There is none.

WAKATSUKI

REDIRECT

1 THE PRESIDENT: Is there any re-examination?

2 MR. HELM: I should like to ask a couple of
3 questions on redirect, your Honor.

4 THE PRESIDENT: Is it a new matter or some-
5 thing arising out of the cross-examination?

6 MR. HELM: I did not quite hear your Honor.

7 THE PRESIDENT: Is it a new matter or some-
8 thing arising out of cross-examination?

9 MR. HELM: It is a matter that was brought
10 out on cross-examination -- just two questions.

11 REDIRECT EXAMINATION

12 BY MR. HELM:

13 Q Who advocated the payment of the expenses
14 of the Korean Army's advance into Manchuria?

15 A The army was already in Manchuria, and
16 that unless the expenses for that army were disbursed,
17 that army would be endangered. In view of this fact,
18 I decided to make such disbursements.

19 Q Did any other member of the Cabinet suggest
20 to you before you made your decision that this be
21 done?

22 A The War Minister might have said that to me,
23 but I do not remember at all; but I decided as the
24 Prime Minister.

25 Q Well, who submitted the figures on the

WAKATSUKI

REDIRECT

1 amount of money necessary for those expenses to you,
2 Baron?

3 A Those figures did not come up just by it-
4 self. It was compiled into the budget which was
5 proposed to the next session of the Diet and there
6 approved.

7 Q Well, who furnished those figures?

8 A With reference to the expenses of the army
9 in Manchuria, I think it was the Ministry of War, since
10 that would be the proper procedure.

11 THE MONITOR: Addition: I wouldn't say
12 that I actually witnessed the affair, but I merely
13 believe so.

14 Q Now, did your Cabinet or the Cabinet after
15 you settle the Manchurian expansion?

16 MR. McCORMACK: If the Court please, the
17 defendant objects to the use of the word "expansion"
18 by the prosecution. There is no testimony in here
19 at all that there was any expansion. I suggest that
20 that word be deleted from the record -- from the
21 question.

22 THE PRESIDENT: He has a right to select his
23 own vocabulary. It is very difficult for us to put
24 any limitation on it. The witness can always answer
25 in accordance with the truth.

WAKATSUKI

REDIRECT

1 MR. HELM: May I have the witness's answer
2 to that last question?

3 THE WITNESS: I beg your pardon, but I have
4 forgotten because of the lapse of time.

5 MR. HELM: That is your answer?

6 THE WITNESS: May I have the question re-
7 peated?

8 (Whereupon, the last question was
9 read by the Japanese court reporter.)

10 A My Cabinet tried to stop the expansion,
11 but failed. The succeeding Cabinet -- as to the
12 succeeding Cabinet I need not say.

13 THE MONITOR: As to the succeeding Cabinet,
14 the situation progressed as you are well aware of.

15 MR. HELM: That is all the prosecution has
16 for this witness, your Honor.

17 (Whereupon, the witness was excused.)
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20 MR. HELM: If your Honor please, at this time
21 Judge McKenzie of the Detroit Bar would like to speak
22 on his application.
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1 MR. McKENZIE: If the Tribunal please, this
2 morning the matter of the motion asking for a waiver
3 of Rule 6 b(1) was tendered and then no opportunity
4 appeared for presenting it.

5 The prosecution desires to request of the
6 Tribunal that the requirements of Rule 6 b(1) of the
7 Rules of Procedure, requiring the service of a large
8 number of copies of complete documents be served
9 upon the accused or their counsel, be waived with
10 reference to seven particular documents out of the
11 approximately eighty which will be presented by the
12 section on military aggression in Manchuria. The
13 first document, regarding which we are asking a
14 waiver of the rule, if the Tribunal please, is
15 exhibit No. 58, one of the basic documents already
16 in evidence, consisting of two volumes of the Foreign
17 Relations of the United States and Japan from 1931
18 to 1941, containing 1922 pages.

19
20 This section of the prosecution desires to
21 introduce only about four pages from Volume 1 of this
22 document. The document is composed of miscellaneous
23 telegrams and reports to and from the State Department
24 of the United States and each telegram, report or
25 letter is a separate and distinct document in itself,
often entirely unrelated to the other telegrams or

1 reports. There are not sufficient copies of these
2 documents available in Japan and it is extremely
3 doubtful if they could be obtained at this time from
4 any source.

5 The second document, if the Court please,
6 is IPS document No. 2007, being Volume 7 of a 67-volume
7 report entitled "Report of Proceedings of the Hearing
8 Held Before the Joint Committee on the Investigation
9 of the Pearl Harbor Attack." It is written in English.
10 Volume 7 contains 190 pages. The complete report con-
11 tains 13708 pages and is a typewritten transcript of
12 the proceedings before the investigating committee.
13 Additional copies are not available, if the Court
14 please, and this section of the prosecution desires
15 to introduce only approximately five pages from this
16 one volume.

17 The third document, if the Tribunal please,
18 is IPS document No. 490, being a book by HASHIMOTO,
19 Kingoro, entitled "The Road to the Reconstruction of
20 the World" contains 237 pages and is written in
21 Japanese. There is only one copy of this book avail-
22 able to the prosecution, if the Court please, and we
23 desire to introduce three pages from this document.

24 The fourth document, if the Tribunal please,
25 is IPS document No. 1632, commonly known as "KIDO's

1 Diary" composed of fifteen volumes with a total of
2 5424 pages. Being an original handwritten document,
3 only one copy, the original, is available; and I
4 believe, as has been mentioned here before, that one
5 photostatic copy was made in which all of the photo-
6 static paper available in Japan had been used to make
7 the one copy of 5425 pages. This section of the
8 prosecution desires to introduce eighteen excerpts
9 of approximately one page each in length.

10 The fifth document is IPS document No. 485,
11 being a book by MATSUOKA, Yoshuke, entitled "Changing
12 Manchuria and Mongolia" published in July of 1931 and
13 containing approximately 250 pages written in Japanese.
14 There is only one copy of this book available to the
15 prosecution and this section desires to introduce
16 less than two pages from this book.

17 The next document is IPS document No. 2135
18 and is a bound volume of the issues of the "Japan
19 Times" for the months of July and August, 1931. This
20 is printed in English. This document contains all the
21 issues of this newspaper for a two months' period and
22 this section desires to introduce only one news item
23 from one issue.

24 The last document, if the Tribunal please,
25 is document No. 1777, which is a Japanese Year Book

1 for the year 1937 printed in English and containing
2 1230 pages. This is the only copy available to the
3 prosecution and this section desires to introduce
4 only two paragraphs from this book.

5 In each instance, if the Tribunal please,
6 even though the excerpts be small, we have not been
7 able to find other means of proving the facts that
8 we desire to prove from these documents. This
9 matter, therefore, is very important to the prosecu-
10 tion, if the Tribunal please, and I believe this is
11 probably the last of the emergency motions as the
12 others will be made probably a week in advance of
13 the section going on.

14 MR. LOGAN: This may take a few minutes,
15 if the Tribunal please. I wonder if we should take
16 the usual recess at this time and start arguing when
17 we come back.

18 THE PRESIDENT: Well, how can you oppose it?
19 You might get some modifications.

20 MR. LOGAN: Well, if the Tribunal please,
21 we do not propose to repeat the objections which
22 have been previously made by the defense to waiving
23 this requirement, 6 b, under the rules, as I am
24 quite sure the Tribunal is well aware of the hard-
25 ships and trouble under which the defense is operating

1 due to the waiver that was adopted the other day.
2 We do, however, wish to point out that the present
3 application may be misunderstood, not because of what
4 prosecution has said but what they have failed to
5 say. Throughout this entire application it is to
6 be noted that they refer to what the next section
7 proposes to prove from these various documents.
8 Now, we in all probability will have further appli-
9 cations with respect to all the future sections
10 as they come on and they have set forth at length
11 here the large number of pages contained in these
12 various books and then they set forth a small number
13 that they propose to use, that is, for this one
14 section.

15 THE PRESIDENT: Well, during the recess
16 think over the modifications the Court should be
17 asked to impose or make.

18 We will recess now for fifteen minutes.

19 (Whereupon, at 1447, a recess was
20 taken until 1505, after which the proceedings
21 were resumed as follows, English to Japanese
22 and Japanese to English interpretation being
23 made as before, Sho Onodera replacing Akira
24 Itami as Monitor.)
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1 MR. LOGAN: With respect to the suggestions
2 we might be able to make, I would like to know of
3 the prosecution if they intend to use other excerpts
4 from these documents on other phases of the case.

5 MR. McKENZIE: If the Tribunal please, in
6 at least two instances with reference to KIDO's
7 diary and the foreign relations, that is unquestion-
8 ably true, and it is barely possible there may be
9 others from the Japan Year Book for 1937, but of that
10 I am not so sure, but other sections coming later may
11 desire it.

12 MR. LOGAN: With respect to Marquis KIDO's
13 diary, I, of course, am particularly interested in
14 that, since counsel has mentioned it. I would like
15 to bring to the attention of the Court that the de-
16 fense, after moving to secure a copy of it, was given
17 an English translation of the excerpts they intend to
18 use. We have one copy of that, and from what the
19 prosecution says today, I understand that they have
20 the original and one photostatic copy of the original
21 in Japanese. Now, this English translation which I
22 have is not complete. It contains excerpts; it con-
23 tains summaries, and days are omitted, so that even
24 with the copy that we have we still are not in
25 possession of all the information contained in that

1 diary. Furthermore, I have been informed by the
2 prosecution that this is one of the really basic
3 documents in this trial. It seems almost absurd
4 for all these accused, who are vitally interested in
5 this document, to be restricted to the use of one
6 photostatic copy and one English translation of
7 excerpts and summaries which are not complete.

8 THE PRESIDENT: Can you suggest a reason-
9 able alternative?

10 MR. LOGAN: Your Honor, we have talked
11 about this in the defense and we have tried to
12 figure out some way that we could be of assistance to
13 the Tribunal in this problem, but the answer to the
14 situation is that we must have these documents in
15 order to present a proper and orderly defense.
16 In other words, when the prosecution orders excerpts -
17 admits and offers in evidence excerpts from a docu-
18 ment, we should be in a position at that time, not
19 on a defense case, of offering other excerpts from
20 the same document at that time. Now, this method
21 that has been adopted precludes that entirely, and
22 the prosecution's idea, from something that was said
23 here the other day, that we will be permitted to do
24 that on our case. Now, that does not make for
25 orderly procedure. We will be introducing excerpts

1 from the same document on our case and it will be
2 unrelated and perhaps forgotten about by the time
3 we get to our case. In order to do it properly we
4 should be permitted to offer these excerpts that we,
5 the defense, wish to offer after the prosecution has
6 read the excerpts they want to introduce, so that
7 the Tribunal will have a complete story and not
8 something disjointed.

9 THE PRESIDENT: You are only concerned in
10 getting the material you need for the defense. You
11 are not concerned with the manner in which the
12 material is presented. It may be presented at dif-
13 ferent stages, and it does not concern us that you
14 may overlook some of this material, as you suggest.
15 For the time being we have to see that you have
16 what is necessary for the defense. I do not see
17 what more can be done for you than was done yester-
18 day in respect to the other documents. We do not
19 forget that you have twenty-six accused, with their
20 twenty-six counsel, all speaking Japanese, and that
21 with many of the documents they will be fairly
22 familiar. For the Year Book, it may be that every
23 item in that book will help them, and Marquis KIDO
24 will not forget what he wrote.

25 It seems to me we ought to grant this

1 application on the same terms as the application
2 yesterday. The application is granted on those
3 terms.

4 Now, this is a waste of time, coming into
5 court with these applications. They should be
6 dealt with in Chambers by a Member of this Court,
7 and in future they will be.

8 MR. LOGAN: May I point out one thing, if
9 the Tribunal please? With respect to this diary,
10 Marquis KIDO knows what is in it, but none of the
11 other defendants do, and with one copy and one
12 original, I cannot see how any of the defendants
13 could possibly be prepared to offer on their case,
14 or any of their cases, any portions of that diary
15 that they wish to offer in evidence when we only
16 have one original and one Japanese copy to look at.

17 THE PRESIDENT: If and when conflicting
18 interests arise among the defendants we shall know
19 how to deal with it on an application.

20 MR. HELM: Mr. President, I would like to
21 call General UGAKI at this time.
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UGAKI

DIRECT

1 K A Z U S H I G E U G A K I , called as a witness
2 on behalf of the prosecution, being first duly
3 sworn, testified as follows:

DIRECT EXAMINATION

BY MR. HELM:

6 Q Mr. Witness, will you put your earphones on?
7 What is your name?

8 A UGAKI, Kazushige.

9 Q What is your age?

10 A I was born in the first year of Meiji; I am
11 just seventy-eight.

12 Q Have you made an affidavit for use in this
13 case?

14 A Yes, I have.

15 Q Is this it? (A paper was handed to the
16 witness). Is that the affidavit you made?

17 A I am sorry, I can't read language which is
18 written sideways, but I have definitely signed it.

19 Q Is that your signature thereon?

20 A It is so.

21 Q I hand you a Japanese copy, Japanese trans-
22 lation of this affidavit, and ask you if the facts
23 therein are correct?

24 A I shall do so. There is no mistake.

25 Q Did your secretary read the English copy

UGAKI

DIRECT

1 of the affidavit to you?

2 A Yes.

3 Q Are the facts contained therein correct?

4 A Generally, there is no mistake.

5 MR. HELM: I offer prosecution's document No.
6 11,516 in evidence and ask that it be appropriately
7 marked as prosecution's next in order.

8 (Whereupon, the document above re-
9 ferred to was marked prosecution's exhibit
10 No. 163 for identification.)

11 MR. HELM: (Reading:) "I, General UGAKI,
12 Kazushige, do swear on my conscience that the follow-
13 ing is true:

14 "In 1924 I was a lieutenant general in the
15 Imperial Japanese Army and held the Portfolio of
16 Minister of War. In accord with the government
17 policy of reducing armaments and retrenching expen-
18 ditures, I ordered and succeeded in reducing the size
19 of the Japanese Army. I became War Minister again in
20 the HAMAGUCHI Cabinet. While occupying this position
21 in January or February 1931, certain officers of the
22 Military Police reported to me that Dr. OKAWA, Shumei,
23 a well-known ultra-nationalist leader, was planning
24 some kind of a demonstration around the Diet Build-
25 ing when the Diet would be in session. I did not

UGAKI

DIRECT

1 take this too seriously at the time. However, later
2 on in March 1931, I received a letter from the afore-
3 said Dr. OKAWA Shumei in which he suggested that I
4 become head of his movement to establish the Showa
5 Restoration.

6 "I continued to receive reports from various
7 officers in the General Staff about the aforesaid
8 Dr. OKAWA Shumei. As they seemed to be more serious
9 than I at first believed, I conferred with the Chief
10 of the Military Affairs Bureau --

11 THE PRESIDENT: He isn't listening to you.
12 He has missed quite a bit of what you said. He was
13 being interfered with by somebody trying to put the
14 headphones on him.

15 MR. HELM: Would the Court instruct the
16 witness to listen?

17 MARSHAL OF THE COURT: The witness is listen-
18 ing now. We can have the Japanese translation
19 started over again.

20 THE PRESIDENT: You will have the defense
21 telling you he did not hear a lot, and he did not.

22 MR. HELM: General, will you put the ear-
23 phones on, or headset? May the witness be instructed
24 in Japanese?

25 INTERPRETER: He was instructed, and he

UGAKI

DIRECT

1 prefers to hold his earphones to the ear.

2 THE PRESIDENT: Go ahead.

3 MR. HELM: I shall start on paragraph 2 of
4 the affidavit. (Reading:)

5 "I continued to receive reports from various
6 officers in the General Staff about the aforesaid
7 Dr. OKAWA, Shumei. As they seemed to be more serious
8 than I at first believed, I conferred with the Chief
9 of the Military Affairs -- "

10 THE PRESIDENT: Stop, Mr. Helm. Look at
11 what is going on now. He is not listening to you. He
12 cannot hear through his earphones.

13 MR. HELM: I don't know what is going on
14 either, your Honor.

15 THE PRESIDENT: There is a sad state of
16 disorganization over at that box. Now what is he
17 hearing? You or the Japanese version?

18 MR. HELM: I don't know, Mr. President.
19 All I can do is read it, sir.

20 THE PRESIDENT: Read it and we will assume
21 he is hearing what he should hear.
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1 MR. HELM: (Reading) "As they seemed to be
2 more serious than I at first believed, I conferred
3 with the Chief of the Military Affairs Bureau General
4 KOISO, Kuniaki and the Vice-Minister of War General
5 SUGIYAMA, Hajime. They informed me that there was
6 a plot by which the aforesaid Dr. OKAWA, Shumei and
7 others were to seize the reins of the government, and
8 that I was scheduled to become the head of this
9 revolutionary government. The aforesaid General
10 KOISO and the aforesaid General SUGIYAMA told me at
11 this time that the aforesaid Dr. OKAWA, Shumei desired
12 the aid of the army in the execution of this plot. I
13 immediately ordered both of the aforesaid Generals
14 KOISO and SUGIYAMA to stop all plans for the carry-
15 ing out of this revolutionary coup by the use of the
16 army at once and to so advise the conspirators. This
17 plot was later known as the March Incident. I
18 resigned with the HAMAGUCHI Cabinet on April 13,
19 1931, and voluntarily retired from the army.

20 "In 1937 after the fall of the HIROTA Cabi-
21 net I was ordered by the Emperor to form a cabinet
22 and attempted to do so. Under the laws then exist-
23 ing it was necessary that the Minister of War be a
24 general or a lieutenant general in active service.
25 Nominations for this portfolio were made by the

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1 Inspector General of Military Education, the Chief
2 of the Army General Staff, and the retiring War
3 Minister. The retiring War Minister was General
4 TERAUCHI, Hisaichi. The Vice-Chief of the Army General
5 Staff was General NISHIO, Jugo, who acted for the
6 ailing Prince KANIN. The Inspector General of Military
7 Education was General SUGIYAMA, Hajime. The
8 opposition of the military was such because of my
9 prior activities as War Minister in reducing the size
10 of the Japanese Army and because I refused to cooperate
11 with the militaristic clique in the Army General
12 Staff in carrying out the March Incident. Although
13 the army triumvirate submitted to me the names of
14 three persons of sufficient rank to fill the post of
15 Minister of War, all three of these persons refused
16 the appointment, and it thus became necessary for me
17 to advise the Emperor that I was unable to form a
18 cabinet as commanded."

19 Signed "K. UGAKI."

20 Q General UGAKI, I hand you a letter and ask
21 you to examine it; Document 1828.

22 A I recognize this letter.

23 Q Is that the letter referred to in paragraph
24 1 of your affidavit?

25 A Yes, it is so.

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1 MR. HELM: I offer prosecution's Document
2 1828 in evidence and ask that it be appropriately
3 marked as prosecution's next in order.

4 THE PRESIDENT: Admitted.

5 CLERK OF THE COURT: It will be exhibit 163,
6 part 2.

7 (Whereupon, the document above
8 referred to was marked prosecution's
9 exhibit No. 163, Part 2, for identification,
10 and was received in evidence.)

11 MR. HELM: The translation on the envelope
12 reads: "(To) His Excellency UGAKI, Kazushige."

13 On the reverse side: (From) OKAWA, Shumei."

14 "I beg to state that according to what the
15 rumors report, by the 13th, Premier HAMAGUCHI is
16 intending to tender his resignation. Though this is
17 not evident, yet that this will not happen cannot
18 be guaranteed. And if it were so, the disturbance
19 which would arise in the political world would be
20 exceedingly great, and fearful muddy waves may
21 swallow Your Excellency.

22 "Now all hopes of the nation are concen-
23 trated on Your Excellency, and those who really feel
24 anxiety over the nation earnestly desire Your Excel-
25 lency to accomplish the great work of the Showa

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1 Renovation.

2 "At the same time, the members of political
3 parties too support Your Excellency, and intend to
4 maintain their old influence. As the political situa-
5 tion is so acute, that conspiracy would undoubtedly
6 be very vigorous.

7 "During our unconsciousness, the progress of
8 the nation has rapidly changed, with an increase
9 in the many difficulties, and the nation's polit-
10 ical path has now been followed to the very brink.
11 Signs of disorder are already pressing upon us.
12 Years of national vainglory fade in a moment, reck-
13 less and inactive industry is fast falling into decay,
14 undeserved rewards are suddenly on the decrease and
15 useless planning collapses of its own weight, as a
16 sick man whose pains increase, but who has no place
17 where he might appeal in his pain. The ready-made
18 parties have entirely lost confidence under Heaven.
19 Every mouth among the people has cursed parliamen-
20 tary politics. Vital now is the need for a great
21 man of ability to overcome disorder, and vindicate
22 righteousness. Who else but you can we seek as one
23 who can solemnly shoulder the burden of the Imperial
24 soil! The whole nation is irresolute. Not that
25 many are without wisdom and tact, but none of them

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1 has any courage to carry out his own belief according
2 to righteousness.

3 "Belief is always a power, and it is the great-
4 est power today. The whole world has lost self-con-
5 fidence. If you stand up with a belief that never
6 hesitates, filled with patriotic lamentation, and
7 warm yourself with dedicated blood, forgetting im-
8 mediate trivial matters, thinking of great things
9 only, and bravely stand and commit yourself to the
10 great cause of your Emperor and Fatherland, men of
11 the same mind would respond to you wherever they
12 are, and a great thing would certainly be accomplish-
13 ed. The time is just ahead for a grand mission to
14 descend on you. Please cherish self-respect, make
15 up your mind to be the head of a group which will
16 accomplish a great work, and don't be held by such
17 common people as men of the political parties to
18 become their leader. Oh, our comrades have been
19 awaiting the approach of this day for thirteen years.
20 Now, when I see that the life of the whole Empire is
21 pending on your decision, I feel awe-inspired. Pray
22 Your Excellency, do not let us fall into the abyss
23 of despair. Further, under your leadership we com-
24 rades will devote all the best part of ourselves and
25 each bearing his share of the great righteousness of

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1 our country completely change over the Empire. Let
2 the Imperial dignity be uplifted within and without
3 the country and let the time come soon, even one
4 minute quicker."

5 MR. HELM: Signed "OKA" A, Shumei. To General
6 UGAKI, Kazushige. March 6, 1931."

7 You may ask.
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1 MR. McCORMACK: If the Tribunal please.

2 CROSS-EXAMINATION

3 BY MR. McCORMACK:

4 Q General UGAKI, I am American counsel for
5 General MINAMI. Now, during the time you were War
6 Minister in the HAMAGUCHI Cabinet, was the policy of
7 the cabinet that of retrenchment and armament reduc-
8 tion?

9 A Yes.

10 Q When was the HAMAGUCHI Cabinet originally
11 formed?

12 A Let's see. Was that the second year of
13 Showa, 1927, or -- it was 1925.

14 Q Do you remember who the Foreign Minister of
15 that cabinet was?

16 A It was SHIDEHARA, Kijuro.

17 Q Name the political party that was represented
18 by this cabinet.

19 A The Minseito.

20 Q Now, does the literal translation of this
21 name mean "Governed by the People Themselves"?

22 A I do not know any interpretation of words.
23 Interpretations vary according to different people.

24 Q What is your interpretation of the word?
25

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1 A I regard it simply as a party which seeks
2 happiness.

3 Q And what is the name of the other political
4 party?

5 A Seiyukai.

6 Q And what would be your interpretation of
7 that term?

8 A I should think it some kind of a club made
9 up of men who are interested in politics.

10 Q Was one of the principal reasons for your
11 cabinet's policy of retrenchment the compliance with
12 the London Naval Treaty?

13 A Yes, that was one reason.

14 Q Was the other reason that it was necessary
15 because it was at the bottom of the world financial
16 depression in 1931?

17 A I don't recall matters which occurred so far
18 back.

19 Q Well, do you recall when the world depression
20 was recently?

21 A Yes, I do know that there was a depression.

22 Q Were you one of the proponents of the
23 government policy of retrenchment?

24 A Of course I was.

25 Q Now, in carrying out that policy, did you

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1 cause the disbanding of a number of army divisions?

2 A Yes, I did.

3 Q How many divisions did you disband?

4 A Four divisions.

5 Q Out of how many divisions?

6 A Out of twenty-one.

7 Q Were these budget reductions you were attempt-
8 ing to carry out causing discontent among young
9 officers in the army?

10 A I don't think so. When the next year's
11 budget was compiled following the reduction, the same
12 appropriations were considered and new equipment and
13 installations were procured for the army.

14 Q Do you know of any discontent that was
15 caused by budget reductions during the time you were
16 in the cabinet?

17 A I don't think so. But probably there were
18 some among us who entertained dissatisfaction.

19 Q Now, on the death of Prime Minister HAMAGUCHI,
20 the cabinet was dissolved; and was it because of his
21 death that it was so dissolved?

22 A By that what do you mean?

23 Q Did the death of Prime Minister HAMAGUCHI
24 cause the dissolution of his cabinet?

25 A Yes. Prime Minister HAMAGUCHI died, and

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1 immediately thereafter the cabinet was dissolved.

2 Q Now, was there any discontent among the
3 young officers in the army during the time you were
4 War Minister because of reduction of salaries of
5 officers?

6 A In the light of the situation then prevail-
7 ing, there could have been an increase in salary,
8 but I don't recall anything about a reduction in
9 salary.

10 Q Now, was the succeeding cabinet headed by
11 Prime Minister WAKATSUKI of the same political party
12 as the HAMAGUCHI Cabinet, of which you were War
13 Minister?

14 A Yes.

15 Q And who was the War Minister in the succeed-
16 ing cabinet?

17 A The War Minister was General MINAMI.

18 Q Was the policy of the WAKATSUKI Cabinet the
19 same as the HAMAGUCHI Cabinet?

20 A I think the succeeding cabinet generally
21 continued the policy of the preceding one.

22 Q Did you recommend General MINAMI as your
23 successor to carry out the policy you had started in
24 your cabinet?

25 A Not necessarily as you say, to pursue the

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1 same policy as mine. Since it was the general cus-
2 tom and understanding within the army that a succeed-
3 ing war minister should be selected by the three big
4 chiefs in the army after a consultation among each
5 other, the question is not so simple as you state;
6 that is, that I had any participation in the matter.

7 Q Well, did you have any participation in his
8 successful selection? Answer yes or no.

9 A Yes.

10 Q Do you know whether General MINAMI, as War
11 Minister, did everything he could do to control
12 certain discontented military officers then existing
13 in the army?

14 A By that time I was already in Korea, so I
15 am not familiar with the details.

16 Q Now, in the fourth paragraph of your affi-
17 davit you mention in connection with the fall of the
18 HIROTA Cabinet in 1937 you met opposition of the
19 military. Now, name these military personnel that
20 were opposed to you, if you know.

21 A At that time the War Minister and the Ins-
22 pector General of Military Education came to see me
23 and asked me to decline, inasmuch as there was
24 opposition to me within the army. The War Minister
25 then was General TERAUCHI, and the Inspector General,

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1 General SUGIYAMA. These were the two men who came
2 to see me.

3 Q Now, in the same paragraph in your affidavit
4 you mention a militaristic clique in the Army General
5 Staff in 1931. My question is, do you know who was
6 in that militaristic clique? Yes or no.

7 A No.

8 Q In the same paragraph you say the army tri-
9 umvirate submitted the names of three persons to fill
10 the post of War Minister. Do you know who this army
11 triumvirate was? Answer yes or no.

12 A Yes.

13 Q Who were they?

14 A The three were: The War Minister, General
15 TERAUCHI; the Inspector General of Military Education,
16 General SUGIYAMA; and the representative of the Chief
17 of Staff, the present General NISHIO.

18 Q Now, General, can you tell the Tribunal
19 whether or not the War Minister has the responsibility
20 of military action abroad, such as the Kwantung Army
21 in Manchuria?

22 A Does that question mean whether the War
23 Minister has responsibility over the military action
24 of the army?

25 Q Yes.

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1 A The military movements and actions overseas
2 come under the command of the Chief of Staff.

3 THE PRESIDENT: The Court will now recess
4 until thirty minutes after nine o'clock tomorrow
5 morning.

6 MARSHAL OF THE COURT: For the information
7 of all concerned, by direction of the President, this
8 Court is in recess until thirty minutes past nine
9 o'clock Monday morning.

10 (Whereupon, at 1600, an adjournment
11 was taken until Monday, 1 July 1946, at 0930.)

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